

**REMARKS**

In the Final Office Action, claims 1-2, 10-11, and 20 were provisionally rejected under the judicially created doctrine of obviousness-type double patenting. Claims 1 and 12 were rejected under 35 U.S.C. § 112, ¶ 1. Claims 1, 5, 7-9, 15-16, and 20-21 were rejected under 35 U.S.C. § 102(b). Finally, claims 2-4, 10, 12-14, and 17-19 were rejected under 35 U.S.C. § 103(a).

Claims 1-21 have been cancelled without prejudice or disclaimer and with reservation of the right to pursue the subject matter of these claims in later cases. Claims 22-38 have been added.

**New Claims**

New claims 22-38 are patentable. Claims 22, 25, 27, 32, 36, and 37 are directed to amusement devices comprising “a swipe card reader.” None of the references cited in the Final Office Action, alone or in combination, teach or suggest a swipe card reader. Accordingly, claims 22, 25, 27, 32, 36, and 37, and any dependent claims depending directly or indirectly from those claims, stand in condition for allowance.

New claim 24 is directed to an amusement device comprising armor configured to be attachable to the body of the device. Support for claim 24 is found at p. 21, ll. 2-10, which teaches that pieces of armor may be selectively placed on or removed from or may be attached or coupled to the embodiments of the present invention. Thus, there is support in the specification for armor configured to be attachable to the body of the device.

Independent claim 28 is directed to a game method comprising providing at least two information carrying cards, the cards comprising card game information and device actuation information, the device actuation information configured to actuate physical activity in an amusement device. None of the references cited in the Final Office Action, alone or in combination, teach or suggest a game method comprising providing at least two information carrying cards comprising card game information and device actuation information, the device actuation information configured to actuate physical activity in an amusement device. Accordingly, claim 28 and dependent claims 29-31, which depend directly from claim 28, stand in condition for allowance.

**Conclusion**

This response is being submitted on or before July 23, 2003 with a Request for Continued Examination and the required fees, making this a timely response. It is believed that no additional fees are due in connection with this filing. However, the Commissioner is authorized to charge any additional fees, including extension fees or other relief which may be required, or credit any overpayment to Deposit Account No. 04-1420.

This application now stands in allowable form and reconsideration and allowance is respectfully requested.


Respectfully submitted,

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By: \_\_\_\_\_

  
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